

Fair tonight and Saturday; slight temperature changes; light northerly winds, becoming variable.

# The Evening Times

READ THE MORNING TIMES

The News of All the World. Best Sporting Page in Washington.

Number 2169.

WASHINGTON, FRIDAY, JULY 11, 1902.

Price One Cent.

## EXPULSION OF FRIARS MAY BE IMPOSSIBLE

Pope Stands Behind the Treaty of Paris.

INSTRUMENT'S TERMS ARE CLEAR

"Spanish Subjects May Remain in Territory" and Hold Property.

MAY CARRY ON PROFESSION

Freedom of Religion Assured Under the New Philippine Law—Belief That Unless Vatican Withdraws From Its Position United States Will Be Powerless.

The refusal of the Vatican to accede to the demands of the United States that the friars shall be withdrawn from the Philippines has occasioned some speculation in official circles here as to what course this Government would pursue should such refusal be persisted in. In the opinion of those who have made a study of the matter the United States would be powerless to expel the members of the clerical orders, even though the Government, under the exercise of the right of eminent domain, might appropriate their property paying just compensation therefor.

Paris Treaty Terms Explicit.

It is claimed that the terms of the treaty of Paris are quite clear on this point. One of the paragraphs of the convention, whereby the United States acquired sovereignty over the Philippine archipelago, specifically states that, "Spanish subjects, natives of the Peninsula, residing in the territory over which Spain by the present treaty relinquishes or cedes her sovereignty, may remain in such territory or may remove therefrom, retaining in either event all their rights of property, including the right to sell or dispose of such property or of its proceeds; and they shall also have the right to carry on their industry, commerce and professions, being subject in respect thereof to such laws as are applicable to other foreigners."

Freedom of Religion Assured.

Another paragraph states that the inhabitants of the territories ceded by Spain shall be secured in the free ex-

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## FEARS THAT LEVEES WILL NOT STAND

Flood Outlook Gloomy in Des Moines.

This Levee-Protected District in Great Danger of Being Inundated.

DES MOINES, Iowa, July 11.—While the Des Moines River came to a standstill yesterday morning and receded slightly later, the Raccoon continues to rise.

Reports from Fort Dodge and other places above Des Moines stating that the river is still rising, make the outlook here gloomy in the extreme. The flood is at the highest point since 1851, when the water was six feet deep over ground now occupied by thousands of residences, business houses and factories. At that time the river was but one foot higher than at present, and it is evident the old record will soon be broken. Levees protect all this district and in two-score places they have either broken or given way.

The Raccoon has invaded the factory district and nothing but the roof of the Keith Furnace Factory and the McCormack Manufacturing Company can be seen. Thousands of dollars' worth of machinery in these offices was destroyed. The Keokuk and Western tracks constitute the levee in this district, on the other side of which the biggest factories of Des Moines are located.

The level of the water is six to eight feet above the factories, which would suffer a loss exceeding half a million dollars should the levee give way.

## REFUSED TO TAKE OATH OF ALLEGIANCE

BLOOMFONTEIN, July 11.—One of the first hitches in the surrender of the Boers has been caused here by several Boer officers who have refused to take the oath of allegiance to the British Crown.

Times Newsboys Band Call

Members of The Times Newsboys Band will report at The Times office Friday, July 11, at 5 p. m. sharp. Uniforms. G. M. WHITE, Director.

## FOUND ZINC LEAD WORTH A MILLION

Commercial Drummer Strikes It Rich in Illinois.

HARRISBURG, Ill., July 11.—Word has been received here of the discovery of a rich zinc lead on a farm near Sherterville, on the line between Pope and Hardin counties, which is said to be worth a million dollars.

A. Gordon, a traveling man, who a few years ago bought forty acres of land in Pope county which was at that time considered worthless, has given up his position on the road and engaged in mining zinc ore from his land. Gordon has refused \$1,000 an acre for his land.

## SITE PURCHASED FOR NEW FOUNDRY CHURCH

Three Properties Transferred to Trustees Today.

Farther North and West Than Old Location—Total Price Paid Is \$54,537.50.

Three deeds were placed on record today, conveying property to the trustees of Foundry Methodist Episcopal Church. The property is located in the square bounded by I, Q, Sixteenth, and Seventeenth Streets northwest, and will be occupied by the new Foundry Church building. The purchase price of the lots is \$54,537.50.

The first deed is made by E. Bishop Grandin and his wife, Emma P. Grandin, of Tidewater, Pa., conveying lots 80 and 81, in square 180, for \$21,900; the second by Herman Gasch and his wife, Catherine E. Gasch, conveying lots 53 and the north 19 feet 6 inches of lot 54, in square 180, for \$15,015; and the third by William P. Kellogg and Mary E. Kellogg, conveying lots 51 and 52, in square 180, for \$18,522.50. The property is conveyed to Addison M. Smith, Richard T. Morrell, Benjamin H. Stinemetz, William E. Chandler, Theodore A. Harding, Irving C. Ball and David T. Cissel, trustees of Foundry M. E. Church, of the city of Washington, for the use and benefit of the ministry and membership of the Methodist Episcopal Church of the United States.

## NO PROSELYTING IN THE PHILIPPINE ARCHIPELAGO

Governor Wright Denies Charges Against Teachers.

CABLES WAR DEPARTMENT

Many Catholic Instructors in Schools, Including Over Three Thousand Natives—No Discrimination Against the Teachers of That Faith.

The Secretary of War has received from Acting Governor Wright a long dispatch replying to various complaints that proselyting is being carried on by public school teachers in the Philippines.

Some time ago a complaint of this nature was made to the Secretary of War, who cabled Governor Wright, directing that an investigation be made.

Secretary Root today sent the following letter, containing Governor Wright's answer, to the person who made the complaint:

"July 10, 1902. 'Dear Sir: I beg to advise you on the 5th of July, Vice Governor Wright,

## UGLY CHARGES AGAINST U. S. ATTORNEY ERWIN

Claimed He Offered to Settle Greene-Gaynor Case.

QUEBEC, Canada, July 11.—Judge Lafontaine, extradition commissioner at Montreal, in obedience to the order of the court, transferred all records in the Greene-Gaynor case this morning to Quebec. After the records were filed the prosecution moved to quash the habeas corpus proceedings and send the prisoners back to Montreal. Counselor Taschereau, for the defense, made a violent attack on the American District Attorney Erwin for his complaint to Washington on alleged inaction of the Canadian authorities.

A sensation was sprung in court by the declaration of Counsel for Messrs. Greene and Gaynor that District Attorney Erwin, of Savannah, who has stirred up a cesspool by his recent report to Washington, offered to settle the case for \$500,000 from the prisoners.

This declaration, it was said, would be supported by affidavits.

The Plague at Odessa.

United States Consul Thomas E. Heenan at Odessa, Russia, cabled the State Department today that the plague has broken out there.

## AMERICA IS "TOO FRESH," ROME SAYS

Roosevelt Sent Taft on Wild Goose Expedition.

DUE TO LACK OF EXPERIENCE

Opinions of Vatican Clergy—Bishop O'Gorman Holds Conferences With Monsignor Gasparri Over Answer to Demand for Withdrawal of Friars.

ROME, July 11.—A prominent cardinal, speaking of the Taft negotiations today, said:

"The American Government has shown itself very fresh in making such a request. It resembles that of the Prince of Bulgaria, when he came to Rome and asked the Pope to sanction Prince Boris's conversion to Greek orthodoxy. If President Roosevelt had been more experienced he would not have sent Taft on such a wild goose expedition."

Monsignor Gasparri, secretary of the Philippines committee of cardinals, has had several conferences with Bishop O'Gorman, of Sioux City, about the Vatican's answer to Governor Taft's note, and especially its refusal to agree to the withdrawal of the friars, as Taft requested.

Governor Taft today received a cablegram from Secretary Root informing him that President Roosevelt is absent from Washington. Secretary Root added that he would advise the President regarding the Vatican propositions tomorrow.

## DISCUSSING SILK FRAUD INVESTIGATION

Collector Stranahan in Conference With the President.

OYSTER BAY, July 11.—Collector Stranahan arrived from New York at 12:30 o'clock this afternoon. He had an appointment with the President at 2:15 o'clock.

The President wished to talk with the collector regarding the silk fraud investigation in New York and also the inquiry into the charges of fraudulent appraisements of sugar cargoes which is now in progress in the office of Appraiser Whitehead.

## NO PROSELYTING IN THE PHILIPPINE ARCHIPELAGO

the acting governor of the Philippines, was requested to report by cable the facts bearing upon the charge, which has recently been extensively circulated, that official positions in the public school service in the Philippines have been used for proselyting purposes, especially reference being made to an article which had just appeared in the "Catholic Times."

"The following dispatch has now been received from Governor Wright:

"Manila, July 9, 1902. 'Secretary of War, Washington: 'Referring to telegram from your office of the 6th instant, charges made by 'Catholic Times' unfounded in every essential particular. Untrue that nearly all American teachers are Protestant preachers and proselyters. The fact is one division superintendent was preaching in the United States a short time, then became teacher. Possibly two or three similar instances among teachers. Bryan, head of Normal School, was never clergyman and never occupied a pulpit here or anywhere. American Catholic Teachers. 'There are now two American Catholic teachers in School of Instruction (normal school) and five in Manila city schools. Native teachers in city numbering one hundred and forty, all Catholic. Untrue that teachers of normal schools are proselyting and that school graduates only Protestants. Exceptional that any graduate is other than Catholic. 'Untrue Filipino is taught that Prot-

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## M'KAY FUNERAL AT SHERMAN RESIDENCE

No Arrangements Yet Made for Ceremony.

The funeral of the late Col. Nathaniel McKay will probably be held from the Sherman residence on K Street, which house he recently purchased and had intended to occupy on his return from his honeymoon journey with his young bride.

It could not be learned this afternoon at the former residence of his widow when the remains would be brought to Washington, as Mrs. Geyer, accompanied by her married daughter, had gone to Atlantic City to join Mrs. McKay.

At Colonel McKay's office, 1008 Thirteenth Street northwest, it was stated this afternoon that no word had been received as to the arrangements being made for the funeral.

Mr. Frank K. Raymond, the potentate of Almas Temple, who would preside at any services that might be held in this city, was also without information concerning the funeral arrangements.

## A NEW STORY FROM CENTRAL AMERICA

Nicaraguans Really Invading Colombia, It Is Said.

FORMER REPORTS REVERSED

First Advances Told of Attack by Colombian Army Not Credited by Government—Hints That Nicaragua Is Working to Delay Canal.

Although Minister Merry reported yesterday to the State Department that Nicaragua had complained of an invasion of her territory by Colombian government troops and in consequence of this report the Ranger was sent by the Navy Department to David to investigate, further and unofficial advice received here indicate that Nicaraguans have gone down into Colombia with the purpose of throwing that country into a state of greater confusion, and, if possible, of producing a condition of anarchy. Their idea is that under such circumstances the building of the Panama Canal can be indefinitely postponed.

Undoubtedly the seeming sudden change of sentiment in Congress from the Nicaragua to the Panama route came as a shock to Nicaragua, and it is now hinted that that country is now anxious to do, officially, anything legal to block the enterprise, and unofficially anything at all to the same end.

At the State Department the claim that Colombians were invading Nicaragua was pooh-poohed from the start, and the incredulity is even stronger today.

## MAY BE THE MISSING MISS LOUISA G. NASH

Brother Leaves for Westminster, Maryland.

Goes There in Hopes of Identifying the Young Woman Confined at an Almshouse.

Mr. J. T. Nash, brother of Louisa G. Nash, the missing Washington school teacher, who is thought to have been located in the almshouse at Westminster, Md., will leave the city this afternoon for that place in hopes of identifying the young woman answering the description of Miss Nash confined at that institution.

A telegram from the superintendent of the institution at Westminster was received in Washington last night. The message briefly stated that several days ago a young woman answering the description of Miss Nash had applied for admission to the institution, and was given shelter.

Miss Nash, the missing woman, was about thirty years of age, and had been employed as a teacher in one of the public schools of Washington. For some reason she left her position and, after seeking in vain for other employment in Washington, she went to Baltimore, ostensibly to visit friends and to seek work. She left the city July 2. Her relatives waited for over a week to hear from her, and were greatly alarmed, upon writing to friends in Baltimore, to learn that she had not made her appearance among them.

The police were next appealed to for assistance. Circulars containing accurate descriptions of Miss Nash were sent broadcast, and it is supposed that it was upon the strength of one of the circulars that she was finally located at Westminster.

## DR. CONATY RE-ELECTED BY NAIOA CONFERENCE

President of the Order of Catholic Colleges.

CHICAGO, July 11.—Rev. Thomas J. Conaty, rector of the Catholic University at Washington, D. C., was re-elected as president of the Naioa Conference of Catholic Colleges of the United States, last night just prior to the adjournment of the body. The other officer chosen was secretary-treasurer, Dr. William L. O'Hara, Emmitsburg, Md. It was decided that the next conference of representatives of Catholic colleges in America be held at Philadelphia July 10 and 11, 1903.

## MR. C. G. CONN SELLS THE ELSMERE HOTEL

Deed Recorded to Ben B. Bradford.

A deed was placed on file today by Catherine M. Conn and her husband, Charles G. Conn, conveying to Ben B. Bradford lots 13, 14 and the west fifteen feet two inches front of lot 15, in square No. 222. The consideration named is \$10. The property is known as the Elsmere on H Street between Fourteenth and Fifteenth Streets.

## TRACY CORNERED, BUT AGAIN ESCAPES POSSE

He Fires on Officers and Dashes to Liberty.

BELIEF THAT HE IS WOUNDED

Put Up a Stubborn Fight When Halted at Midnight by Men in Pursuit. Passed Himself Off as a Deputy Sheriff.

SEATTLE, Wash., July 11.—Once more the hunted convict, Harry Tracy, has given the officers the slip, making his escape after a fight from what seemed to the officers to be a trap from which the bandit could not get away.

Instead of ingenuously himself on a knoll, near Auburn, Tracy last night fled to the mouth of Sluice Creek, near Covington, passing through the line of deputies without trouble, although they were stationed only fifty feet apart.

About midnight he arrived at the Covington Lumber Company's sawmill, about a mile from the city. A posse had been stationed here, and when Tracy approached he was challenged.

"What's your name?" he was asked. "Anderson," was the reply, and then he started to run. The deputies opened fire. In his flight Tracy encountered Deputy Sheriff Crowe, who had been stationed on the railroad track.

"Who goes there?" challenged the officer.

"A deputy," coolly replied Tracy. Crowe started to approach, when Tracy began firing. Crowe being so close that he was powder burned, but not hit. Tracy then plunged into the brush and disappeared. About 3 a. m. a man believed to have been Tracy, attempted to board a freight train but failed. Later a second train was halted from the saw mill by a man whom the train hands believe to have been Tracy. The opinion is advanced that he was wounded in the first encounter.

## ANOTHER EXPLOSION IN THE CAMBRIA MINE

Rescuing Party of Twelve Believed to Be Killed.

PATHETIC SCENES AT SHAFTS

Police Have Difficulty in Restraining the Grief-Stricken Women—Company Will Aid Destitute Families—List of Identified Dead.

JOHNSTOWN, Pa., July 11.—It is believed another very serious and fatal explosion has occurred in the Klondike section of the Rolling Mill mine.

The explosion is said to have taken place about 11 o'clock, and the officials of the Cambria Steel Company, at the Westmont opening of the mine, are trying to suppress the rumor and keep it from gaining circulation among the great crowd at the entrance.

A workman who was a member of the rescuing party which went into the mine this morning came out at 11:45 o'clock. He stated that another explosion had occurred and that one branch of the general rescuing party was unaccounted for and were probably all killed.

This party numbers twelve and was in charge of George Robinson, superintendent of the Franklin mines, and John Daniels. Several doctors were among the party, and grave fears are expressed for all its members.

At early dawn forty-seven soot-be-

## SECRETARY SHAW VISITING BOSTON

Says He Is Much Benefited by Sea Trip.

BOSTON, July 11.—Hon. Leslie M. Shaw, Secretary of the Treasury, with his wife and two daughters, Misses Enid and Emma, arrived in Boston today. The party reached President Roads, off Hull, shortly after 6 o'clock last night on the United States Treasury revenue cutter Gresham.

Early this morning the Gresham ran up the harbor and was received by the boarding officer of Surveyor McCarthy's department.

Secretary Shaw was in fine spirits and expressed himself as much benefited by his sea trip. At about 7 o'clock the Secretary, his wife, and daughters boarded the Gresham's steam launch and landed on Long wharf.

A carriage, which was in waiting, was taken by the party, who later had breakfast at an up-town hotel.

Today Secretary Shaw will make an official visit to some of the divisions of his department in this city. Tonight or tomorrow the Secretary and his family will go to his native State of Vermont where he intends to enjoy his summer vacation. Most of the latter will be spent at Thompson's Lake, Lake Champlain, where the family has a palatial summer home.

## DIVISION OF FORTY MILLION DOLLARS

SUN'S RAYS EXPLODE BENZINE IN BOLOGNE

One Person Killed and Forty Others injured.

ROME, July 11.—A wave of intense heat passed over Italy today, the thermometer in many places registering 104 degrees.

At Bologna, the heat exploded a quantity of benzine in a factory, and one person was killed and forty others injured.

## CAPTAIN CHESTER FOR NAVAL OBSERVATORY

To Succeed Captain Davis as Superintendent.

Latter Will Take Sea Duty and May Be Given Command of the Alabama.

Captain Colby M. Chester, generally considered one of the most capable officers in the navy, has been selected to succeed Captain Charles H. Davis as superintendent of the Naval Observatory in this city.

Recently it was decided by the Secretary of the Navy upon the request of Captain Davis to detach him from duty at the Observatory and give him sea duty. It is understood that he will be given command of the Alabama.

The billet of superintendent of the Naval Observatory is regarded as one of the most desirable in the navy. For many years there has been a fight on the part of civilian scientists to have one of their number placed in charge of the observatory. For this reason the Navy Department is extremely anxious to have Captain Chester's administration as successful as that of his predecessor.

## ANOTHER EXPLOSION IN THE CAMBRIA MINE

grimed dead bodies were taken from the Cambria mine. The rescuing parties had counted thirty-five more, but beyond that the brave men did not care to penetrate. The deadly noxious fumes were yet unquenched, and a few more steps meant death to the rescuers. One hundred more bodies lie beyond the impenetrable region of death, some say; others place the estimate at fifty more, but at this hour it is safe to say that the lost will pass 150, and may possibly reach 200.

Men worked in that black hell all of yesterday and all last night, and when the fog lifted from the Alleghenies and daylight revealed the meeting of Stony Creek and the Conemaugh, where thirteen years ago the onrushing waters from the dam met and wiped out thousands of lives, the same daylight directly opposite the meeting of the waters revealed the mouth of the horrible pit which brought wretchedness and misery to 200 homes.

Bright and early hundreds of barefooted women gathered upon an eminence where the dead wagons were lined up ready to remove the victims of the explosion. They were miners' wives, mothers, and daughters, who had been waiting for their breadwinners all night.

Women Moan and Weep. The terrible news of the explosion had reached them early in the afternoon. They crowded the mouth of the mine moaning and weeping and it required the combined efforts of the Cambria Iron Company's police and the Johnstown city police to force them from the death-vomiting mouth of the big mine. The poor women were forced to their homes, where they spent the night in prayer and lamenting, hoping against hope.

(Continued on Second Page.)

## KING ANXIOUS TO HURRY CORONATION

He Is Improving Rapidly and Satisfactorily.

LIVERPOOL, July 11.—The "Post" today, speaking of King Edward's illness, and the coronation, says:

"The King is so anxious to hurry the coronation that it may be held on August 2."

"The doctors believe that it would be an advantage to have it as soon as possible, as his majesty is worrying himself a great deal on the subject. 'Whether there is any truth in the report that he is haunted by superstitious fears is not known. The doctors, taking into account the patient's mind, believe that getting the coronation over will assist in his complete recovery. All arrangements will be conditional on account of the danger of a relapse.'"

In the meantime those interested in seaside resorts are as a general thing making desperate efforts to have the coronation postponed until October.

The following bulletin was posted at Buckingham Palace at 10 o'clock this morning:

"The King continues to sleep well and improve in every respect. 'TREVES, 'LAKING, 'BARLOW."

Canal Money for Old and New Companies.

AGREEMENT HAS BEEN REACHED

The Old Concern to Receive Five-eighths, or \$24,500,000.

TERMS OF OLD CONTRACT

New Company Will Take the Remaining \$5,500,000—Attorney General Notified—Mr. Cromwell Explains the Division—Is Confident Title Is Valid.

The \$40,000,000 the United States is to pay for the Panama Canal is to be divided, \$15,500,000 going to the new Panama Canal Company and \$24,500,000, or five-eighths of the whole, to the receiver of the old company.

An agreement to this effect has been reached and notice filed with the Attorney General among the other papers relating to title, which have been put on record by Mr. William Nelson Cromwell, general counsel of the canal company.

Mr. Cromwell was in conference with Attorney General Knox this morning, explaining matters relating to the title. He will go to Paris within a few days to meet Assistant Attorney General Russell to make a practical examination and study of all the title questions.

In answer to a question as to what was the state of the security holders of the old Panama Canal Company with relation to the sale of the canal to the United States, Mr. Cromwell said:

Old Company Has No Title.

"The security holders of the old company have no title or interest in the property of the new Panama Canal Company. All the property of the old company was sold and conveyed by the receiver of the old company, acting under full authority of the courts appointing him, to the new Panama Canal Company, which is a private corporation, having no relation whatever with the government of France, is managed by new men, and is based entirely on a new capital of \$5,000,000 francs.

"In connection with this purchase by the new company it contracted to pay the receiver of the old company 60 per cent of the net revenues which might be derived from the operation of the canal after its construction and completion by the new company. This relation is purely a matter of contract and does not affect the ownership or title of the new company, which was expressly declared to be absolute.

In Fulfillment of Contract.

"The receiver has no lien upon or interest in the property of the new company. He merely holds a contract with the new company. Therefore the new company can make valid sale to the United States by its own deed. "However, as a practical matter, and to cover questions raised in the Congress of the United States, and under my advice, the company has procured the full consent of the receiver to the sale to the United States, thus entirely disposing of that question.

"In addition and to show its fair spirit, the company has come to a formal agreement with the receiver adjusting the contractual obligations of the company in respect of this 60 per cent agreement.

"This agreement was reached through an arbitrator about three months ago and the receiver was formally authorized by the court appointing him to agree to such arbitration and compromise. Of course, the company acted under its own powers without any judicial proceedings because the new company is not in the courts nor under their jurisdiction.

Result of a Compromise.

"The result of this compromise and adjustment is that the stockholders of the new company will receive about \$15,500,000 and the receiver of the old company about \$24,500,000, for which he will account to the security holders of the old company as is customary in all cases of receivership.

"It thus will be seen that the 60 per cent contract, about which so much was said in Congress is absolutely and happily disposed of upon a basis not only legal but highly creditable and honorable to the new company which contents itself simply with reimbursements for the new capital of 50,000,000 francs with interest at not exceeding 4 per cent annum, thus paying to the receiver five-eighths of the entire proceeds of the sale."

Title Is Valid, Says Cromwell.

Mr. Cromwell stated that he was entirely confident that the title of the Panama Canal Company was valid and its power to transfer to the United States complete, and that he had no doubt this would be found to be the case by the law officers of the Government.

Referring to Attorney General Knox, he said: "It is a fortunate thing for this country that these questions are to be passed upon by one of the most experienced and distinguished corporation lawyers of the United States."